

Notice of Allowability

Application No.

09/605,289

Applicant(s)

LIPSON ET AL.

Examiner

Art Unit

Sheela C. Chawan

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Feb 22, 2005.
2. ☒ The allowed claim(s) is/are 1-17, 19-21, 23-28, 45-52, RENUMBERED AS 1-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892) *Paper # 5*
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1. _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 5/26/06
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Hugh H. Matsubayashi on 5/26/06.

IN THE CLAIMS.

Amend claim 17, see the attached sheet.

Claim 23-25 line 1 change from "22" – 17 - - .

DETAILED ACTION

Response to Amendment

2. Applicant's amendment filed on Feb 22, 2005 has been entered.
Claims 1-17, 19-21, 23-28 and 45-52 are pending in the application.
Claims 49-52 are added new claims.
Claims 18, 29-44 are canceled.

Response to Arguments

3. Applicant's argument filed on Feb 22, 2005 have been fully considered and are persuasive, see remarks on page 11, lines 9-13, page 12, lines 1-3 with respect to claims 1-12, 15-17, 19-27 and 45-48 under 102(e) rejection has been withdrawn.

Drawings

4. Drawings filed on 10/01/01 have been approved by the examiner.

Information Disclosure Statement

5. The information disclosure statement (IDS) submitted on 10/2/00 has been considered by the examiner.

Reason For Allowance

6. The following is an examiner's statement of reasons for allowance:
Claims 1-17, 19-21, 23-28 and 45-52 are allowed. Renumbered as 1-34.
As pointed out by the applicant's Remark, filed on Feb 22, 2005 on page 11, lines 9-13, page 12, lines 1-3 with respect to claims 1-12, 15-17, 19-27 and 45-48 is

allowed. Claim 1 recites that the image model processor for applying “an image model to detect image properties of an object”, “a structural model processor for applying a structural model to determine structural features of the object”, and “a geometric model processor for applying a geometric model to detect geometric properties of the object”.

The prior art of record O'Dell (US. 6,324,298) discloses defect inspection systems for the semiconductor industry it relates to automated inspection equipment systems and processes. O'Dell disclose only a single model which is used for inspection of a device. O'Dell fails to teach or suggest an image model, a structural model, and a geometric model which apply three separate models, as commonly included in each of the independent claims 1, 17 and 45 the prior art of record fails to teach either singularly or in combination, fails to anticipate or render the above limitations obvious.

7. Any comments considered necessary by applicant must be submitted on later than the payment of the issue fee and to avoid processing delays should preferably accompany the issue fee. Such submissions should be clearly labeled, comments on statement of reasons for allowance.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela C Chawan whose telephone number is. 571-272-7446. The examiner can normally be reached on Monday - Thursday 7.30 - 6.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached at 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sheela Chawan
Patent Examiner
Group Art Unit 2624
April 13, 2006


SHEELA CHAWAN
PRIMARY EXAMINER